



CASE CT-2645

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Samuel J. DuBoff  
Type or print name

Signature

November 15, 2002  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

EXAMINER: Rebecca L. Anderson

YU ET AL.

ART UNIT: 1626

APPLICATION NO: 09/994,012

FILED: NOVEMBER 16, 2001

FOR: HETEROCYCLIC SUBSTITUTED 2-METHYL-BENZIMIDAZOLE  
ANTIVIRAL AGENTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This is in response to the office action mailed October 17, 2002 having a one month period for response which expires on November 18, 2002 (since November 17, 2002 falls on a Sunday).

**Election/Restriction Requirements**

Applicant provisionally elects with traverse to prosecute Group I; namely, claims 1-8 and 10. It is understood that claim 9, directed to the method of using the compounds of claims 1-8 to treat RSV infection, can be included with commensurate scope at a later time during prosecution after allowable subject matter is found.

Regarding election of a species, this is compound example 188 on page 199 of the specification.

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